



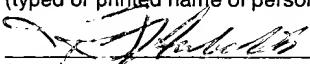
12-01-63  
JAN 31 2005

**PATENT**  
**ATTORNEY DOCKET NO. 01839719**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Kabatek )  
Serial No.: 09/892,220 )  
Filed: June 25, 2001 )  
For: **EXTERNAL OPERATING UNIT** )  
**FOR A MOBILE RADIO** )  
**TELEPHONE** )  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Group Art Unit:  
2642  
Examiner:  
Bui, B.

CERTIFICATE OF MAILING BY "EXPRESS MAIL"	
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Alexandria, VA 22313-1450	
<u>Timothy Hubalik</u>	
(typed or printed name of person mailing paper or fee)	
	
(signature of person mailing paper or fee)	

**TRANSMITTAL LETTER**

Dear Sir:

Enclosed for filing please find:

1. Information Disclosure Statement and Petition under 37 C.F.R. 1.97(d);
2. Form PTO/SB/08A;
3. EPO Search Report and references;
4. Check for \$130.00; and
5. Return postcard.

The Commissioner is hereby authorized to charge any additional fees (or credit any overpayment) associated with this communication to our Deposit Account No. 13-0019. If a fee is required for an extension of time under 37 C.F.R. §1.136 not accounted for above, such extension is requested and such fee should also be charged to our Deposit Account.

MAYER, BROWN, ROWE & MAW LLP    Respectfully submitted,  
P.O. Box 2828  
Chicago, Illinois 60690-2828  
312-701-8773

Dated: January 31, 2005

  
\_\_\_\_\_  
Daniel H. Shulman  
Attorney for Applicant  
Reg. No. 45,106



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INFORMATION DISCLOSURE STATEMENT  
AND PETITION UNDER 37 C.F.R. §1.97(d)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(d), Applicants bring to the attention of the Examiner the documents listed on the attached PTO/SB/08A. This Information Disclosure Statement is being filed after an *ex parte Quayle* action but before payment of the issue fee and is accompanied by the Petition fee specified under 37 C.F.R. 1.17(i) of \$130.00 and a certification as specified under § 1.97(e). Applicant respectfully petitions and requests that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

Certification under 37 C.F.R. 1.97(e)

Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the information disclosure statement.

Copies of the listed documents are attached. In lieu of a statement of relevance or translation of the non-English documents, the search report from the European Patent Office in a corresponding application citing these documents and setting forth the relevance thereof is enclosed.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If it should be determined that any of the listed documents do not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

The Commissioner is hereby authorized to charge any additional fees (or credit any overpayment) associated with this communication to our Deposit Account No. 13-0019. If a fee is required for an extension of time under 37 C.F.R. §1.136 not accounted for above, such extension is requested and such fee should also be charged to our Deposit Account.

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P.O. Box 2828  
Chicago, Illinois 60690-2828  
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Dated: January 31, 2005



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Daniel H. Shulman  
Attorney for Applicant  
Reg. No. 45,106

**Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.**

THE INSTITUTE FOR FORM 1449/PTO

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

**(Use as many sheets as necessary)**

Sheet 1 of 1

**Complete if Known**

Application Number	09/892,220
Filing Date	June 25, 2001
First Named Inventor	Kabatek
Art Unit	2642
Examiner Name	Bui, B.
Attorney Docket Number	01839719

**U. S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

Examiner Signature		Date Considered	
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**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbol/s as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.